

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, MARCH 16, 2022

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JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 16, 2022

The Senate met in regular session at 9:04 a.m., President Chapman presiding.

Prayer was offered by the Honorable Jason Schultz, member of the Senate from Crawford County, Schleswig, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Grace Tollefson.

The Journal of Tuesday, March 15, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 15, 2022, **adopted** the following resolution in which the concurrence of the House was asked:

[Senate Joint Resolution 9](#), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualifications of electors.

ALSO: That the House has on March 15, 2022, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2295](#), a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including retroactive applicability provisions.

ALSO: That the House has on March 15, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2466](#), a bill for an act concerning signature requirements for county supervisor candidate nominations and including effective date provisions.

Read first time and referred to committee on **State Government**.

[House File 2494](#), a bill for an act relating to nursing facility construction or expansion.

Read first time and referred to committee on **Human Resources**.

[House File 2529](#), a bill for an act relating to a state-funded psychiatry residency program at various state institutions, creating a program fund, and making appropriations.

Read first time and referred to committee on **Appropriations**.

[House File 2537](#), a bill for an act relating to motor vehicles that traverse certain railroad grade crossings against a gate or signal, and providing penalties.

Read first time and referred to committee on **Transportation**.

[House File 2538](#), a bill for an act relating to legislative and congressional redistricting concerning the duties of the temporary redistricting advisory commission.

Read first time and referred to committee on **State Government**.

[House File 2546](#), a bill for an act relating to reimbursement of psychiatric intensive inpatient care under the Medicaid program.

Read first time and attached to **similar** [Senate File 2331](#).

[House File 2549](#), a bill for an act relating to the establishment of a mental health practitioner loan repayment program, and providing an appropriation.

Read first time and attached to **similar** [Senate File 2195](#).

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced to the Senate chamber Stephen Larson, the Governor's appointee to be the Administrator of the Alcoholic Beverages Division. He was the guest of the committee on State Government.

The Secretary of the Senate introduced to the Senate chamber William Bushell, the Governor's appointee to be the Chairperson of the Board of Parole. He was the guest of the committee on Judiciary.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate Resolution 105](#).

[Senate Resolution 105](#)

On motion of Senator Nunn, [Senate Resolution 105](#), a resolution reaffirming Iowa's commitment to its relationship with the Ukrainian people and supporting Ukraine's efforts to remain an independent and autonomous nation, with report of committee recommending passage, was taken up for consideration.

Senator Nunn moved the adoption of [Senate Resolution 105](#), which motion prevailed by a voice vote.

BILL REFERRED TO COMMITTEE

President Chapman announced that [House File 2130](#) was referred from the committee on **Transportation** to the committee on **State Government** under Senate Rule 38.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:30 a.m. until 9:00 a.m., Thursday, March 17, 2022.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****COMMERCE**

Convened: Wednesday, March 16, 2022, 10:40 a.m.

Members Present: Schultz, Chair; Koelker, Vice Chair; Giddens, Ranking Member; Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirnbach, Sinclair, R. Smith, and Williams.

Members Absent: None.

Committee Business: [HF 2431](#), [HF 2470](#), [HF 2540](#), [HF 2302](#), [HF 2399](#), [HF 2330](#), and [HF 2461](#).

Adjourned: 11:00 a.m.

HUMAN RESOURCES

Convened: Tuesday, March 15, 2022, 3:35 p.m.

Members Present: Edler, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Garrett, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott.

Members Absent: Green (excused).

Committee Business: Consideration and passage of bills: [HF 2198](#), [HF 2127](#), [HF 736](#), [HF 2203](#), and [HF 2248](#).

Adjourned: 4:15 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Wednesday, March 16, 2022, 1:25 p.m.

Members Present: Sweeney, Chair; Driscoll, Vice Chair; Trone Garriott, Ranking Member; Boulton, Celsi, Cournoyer, Lykam, Rozenboom, Shipley, J. Taylor, and Zumbach.

Members Absent: Green and Hogg (both excused).

Committee Business: [HF 2209](#), [HF 2369](#), and [HF 2415](#).

Adjourned: 1:35 p.m.

SUBCOMMITTEE ASSIGNMENTS**[House File 2130](#)**

STATE GOVERNMENT: Koelker, Chair Bisignano, Boulton, Brown, Celsi, Cournoyer, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Reichman, Schultz, and R. Smith

[House File 2337](#)

APPROPRIATIONS: Cournoyer, Chair; Celsi and Rozenboom

[House File 2466](#)

STATE GOVERNMENT: R. Smith, Chair Bisignano, Boulton, Brown, Celsi, Cournoyer, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz

[House File 2529](#)

APPROPRIATIONS: Costello, Chair; Bolkom and Edler

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: [HOUSE FILE 2302](#), a bill for an act relating to affirmative defenses for entities using cybersecurity programs.

Recommendation: DO PASS.

Final Vote: Yeas, 17: Schultz, Koelker, Giddens, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirnbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2399](#), a bill for an act relating to reimbursement for health care services provided after receipt of a prior authorization, and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 17: Schultz, Koelker, Giddens, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirnbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2431](#), a bill for an act relating to the regulation of home-based businesses, including food establishments and home food processing establishments, and providing civil penalties.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Schultz, Koelker, Brown, Chapman, Goodwin, Johnson, Klimesh, Nunn, Sinclair, R. Smith, and Williams. Nays, 6: Giddens, Bisignano, Lykam, Mathis, Petersen, and Quirnbach. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2461](#), a bill for an act relating to ransomware and providing penalties.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5066](#).

Final Vote: Yeas, 17: Schultz, Koelker, Giddens, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirnbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2470, a bill for an act adopting and implementing the recommendations of the artisanal butchery task force.

Recommendation: DO PASS.

Final Vote: Yeas, 17: Schultz, Koelker, Giddens, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirnbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: [HOUSE FILE 736](#), a bill for an act relating to limitations on activities related to paid claims under the Medicaid program, and including effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5064](#).

Final Vote: Yeas, 12: Edler, Costello, Mathis, Bolkcom, Garrett, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, none. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2127](#), a bill for an act relating to payments to child care providers from families participating in the state child care assistance program.

Recommendation: DO PASS.

Final Vote: Yeas, 7: Edler, Costello, Garrett, Johnson, Lofgren, Rowley, and Sweeney. Nays, 5: Mathis, Bolkcom, Jochum, Ragan, and Trone Garriott. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2198](#), a bill for an act relating to the minimum age requirements for employees and substitutes working at a child care center.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5063](#).

Final Vote: Yeas, 7: Edler, Costello, Garrett, Johnson, Lofgren, Rowley, and Sweeney. Nays, 5: Mathis, Bolkcom, Jochum, Ragan, and Trone Garriott. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2203](#), a bill for an act relating to health care including protections for health care providers against disciplinary actions for acts or omissions related to COVID-19 and to experimental treatments for terminally ill persons, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 7: Edler, Costello, Garrett, Johnson, Lofgren, Rowley, and Sweeney. Nays, 5: Mathis, Bolkcom, Jochum, Ragan, and Trone Garriott. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2248](#), a bill for an act relating to the information to be provided by a health care provider as part of a referral of a patient to an ambulatory surgical center, and providing for licensee discipline.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5065](#).

Final Vote: Yeas, 7: Edler, Costello, Garrett, Johnson, Lofgren, Rowley, and Sweeney. Nays, 5: Mathis, Bolkcom, Jochum, Ragan, and Trone Garriott. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: [HOUSE FILE 2209](#), a bill for an act relating to residents under sixteen years of age accompanying an adult who is hunting or trapping.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Sweeney, Driscoll, Trone Garriott, Boulton, Celsi, Cournoyer, Lykam, Rozenboom, Shipley, J. Taylor, and Zumbach. Nays, none. Excused, 2: Green and Hogg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2369](#), a bill for an act relating to taking fur-bearing animals without prior permission of the natural resource commission.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Sweeney, Driscoll, Trone Garriott, Boulton, Celsi, Cournoyer, Lykam, Rozenboom, Shipley, J. Taylor, and Zumbach. Nays, none. Excused, 2: Green and Hogg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2415](#), a bill for an act relating to private land available for public use for recreational purposes.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Sweeney, Driscoll, Trone Garriott, Boulton, Celsi, Cournoyer, Lykam, Rozenboom, Shipley, J. Taylor, and Zumbach. Nays, none. Excused, 2: Green and Hogg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: [HOUSE FILE 781](#), a bill for an act relating to the practice of interior design, providing penalties, and including effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5067](#).

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 853](#), a bill for an act relating to snowmobile user permits and registration fees.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5068](#).

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2130](#), a bill for an act relating to registered all-terrain vehicles and off-road utility vehicles, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Yeas, 14: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, 1: Celsi. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2331](#), a bill for an act establishing daylight saving time as the official time in this state throughout the year and including effective date provision.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5070](#).

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2340](#), a bill for an act relating to public safety nuisances concerning licensed premises where alcoholic beverages, wine, or beer is sold or consumed.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5071](#).

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2378](#), a bill for an act relating to pari-mutuel wagering, concerning distribution of horse racing purse moneys and establishing a fund for certain race horse organizations.

Recommendation: DO PASS.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2420](#), a bill for an act relating to the newborn safe haven Act.

Recommendation: DO PASS.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2466](#), a bill for an act concerning signature requirements for county supervisor candidate nominations and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2489](#), a bill for an act relating to the auditor of state and including effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2497](#), a bill for an act relating to gambling regulation and wagering, concerning cashless wagering, forfeiture and withholding of certain gaming winnings, sports wagering, occupational licenses, and providing penalties.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5072](#).

Final Vote: Yeas, 12: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Dawson, Giddens, Goodwin, Jochum, Johnson, Koelker, and Reichman. Nays, 3: Celsi, Guth, and Schultz. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2547](#), a bill for an act relating to midwife licensure, providing for fees, and making penalties applicable.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5069](#).

Final Vote: Yeas, 10: R. Smith, Cournoyer, Brown, Dawson, Goodwin, Guth, Johnson, Koelker, Reichman, and Schultz. Nays, 5: Bisignano, Boulton, Celsi, Giddens, Jochum. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WITHDRAWAL OF
GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate:

I am withdrawing the name of Sue Clark for confirmation as a member of the Real Estate Commission from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

AMENDMENTS FILED

<u>S-5062</u>	<u>H.F. 780</u>	Mark Lofgren
<u>S-5063</u>	<u>H.F. 2198</u>	Human Resources
<u>S-5064</u>	<u>H.F. 736</u>	Human Resources
<u>S-5065</u>	<u>H.F. 2248</u>	Human Resources
<u>S-5066</u>	<u>H.F. 2461</u>	Commerce
<u>S-5067</u>	<u>H.F. 781</u>	State Government
<u>S-5068</u>	<u>H.F. 853</u>	State Government
<u>S-5069</u>	<u>H.F. 2547</u>	State Government
<u>S-5070</u>	<u>H.F. 2331</u>	State Government
<u>S-5071</u>	<u>H.F. 2340</u>	State Government
<u>S-5072</u>	<u>H.F. 2497</u>	State Government